

DETAILED ACTION

1. This action is in response to Applicant's submission filed 2/22/08, responding to the 11/1/07 Office action which detailed the rejection of claims 23-47. Claims 23, 27-30, 33-41, 43-46 have been amended, claim 31 has been canceled, and new claims 48-53 have been added. Claims 23-30 and 32-53 remain pending in the application and have been fully considered by the examiner.

Response to Arguments

2. Applicant's amendment of claims 33-40 has overcome the rejection of claims 33-40 under 35 U.S.C. § 101. Likewise, the rejection is withdrawn.
3. Applicant's amendment of claims 23, 33, and 41 has overcome the rejection of claims 23-47 under 35 U.S.C. § 112. Likewise, the rejection is withdrawn.
4. Applicant's arguments with respect to the rejections under 35 U.S.C. § 103(a) have been considered but are moot in view of the examiner's amendment below. In light of the examiner's amendment, the rejections are withdrawn.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marina Portnova, Reg. No. 45,750 on 5/23/08. In the interview, it was agreed to amend the independent claims to include details regarding calculation of the similarity number according to the discussion on page 10 of the originally filed specification.

The application has been amended as follows:

Please amend claims 23, 32, 33, and 41 as follows:

IN THE CLAIMS

23. (Currently Amended): In line 15, after "elements" and before ";" please insert:

, wherein when the similar program elements are similar program code identifiers, the similarity number is calculated by combining a number of matching alphabetical characters in the similar program code identifiers with a fraction of a number of matching numerals in the similar program code identifiers

32. (Currently Amended): In line 1, after "claim," delete "31" and insert "30".

33. (Currently Amended): In line 16, after "elements" and before ";" please insert:

, wherein when the similar program elements are similar program code identifiers, the similarity number is calculated by combining a number of matching alphabetical

characters in the similar program code identifiers with a fraction of a number of matching numerals in the similar program code identifiers

41. (Currently Amended): In line 18, after "elements" and before ";" please insert:

, wherein when the similar program elements are similar program code identifiers, the similarity number is calculated by combining a number of matching alphabetical characters in the similar program code identifiers with a fraction of a number of matching numerals in the similar program code identifiers

Allowable Subject Matter

6. Claims 23-30 and 32-53 are allowed.
7. The following is an examiner's statement of reasons for allowance:

The examiner indicated that this application would be in condition for allowance if the independent claims 23, 33, and 41 are amended to include the features of a similarity number that is calculated by combining a number of matching alphabetical characters in the similar program code identifiers with a fraction of a number of matching numerals in the similar program code identifiers. The above features, taken in combination with all remaining features of the independent claim are not taught or suggested by the prior art of record. The applicant agreed to amend the independent claims 23, 33, and 41 as indicated by the examiner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES RUTTEN whose telephone number is (571)272-3703. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/jdr/

/Tuan Q. Dam/
Supervisory Patent Examiner, Art Unit 2192